

Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509



Certified mail # 7003 1010 0003 5732 1834 3-19-12 jth

Safety Order and Notification of Penalty

To:

Sensient Flavors, LLC,
and its successors
5600 West Raymond Street
Indianapolis, IN 46241

Inspection Number: 315051318

Inspection Date(s): 09/15/2011 - 03/16/2012

Issuance Date: 03/19/2012

Inspection Site:

5600 West Raymond Street
Indianapolis, IN 46241

The violation(s) described in this Safety Order and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days

on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s) and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance during the

prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty.

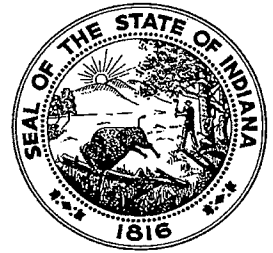
Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the Indiana Department of Labor/IOSHA at the address shown above.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to

the Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 03/19/2012. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor

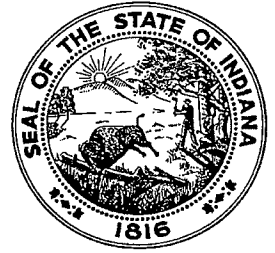
Occupational Safety and Health Administration

**Inspection
Number:**

315051318

Inspection Dates:09/15/2011 -
03/16/2012**Issuance Date:**

03/19/2012

**Safety Order and Notification of Penalty****Company Name:** Sensient Flavors, LLC**Inspection Site:** 5600 West Raymond Street, Indianapolis, IN 46241**Safety Order 1 Item 1 Type of Violation: **Serious****

29 CFR 1910.23(a)(8): Floor hole(s), into which persons could accidentally walk, were not guarded by standard railings with standard toe-boards on all exposed sides or by floor hole covers of standard strength and construction:

Thaw Room, Liquid Compounding - Several portions of the metal grating located above the drainage trough located on the left side of the floor were severely damaged, which created several large openings (holes) above the approximately 18.0-inch deep drainage trough.

Date By Which Violation Must be Abated:**04/12/2012****Proposed Penalty:****\$2,000.00****Safety Order 1 Item 2 Type of Violation: **Serious****

29 CFR 1910.106(d)(4)(iv): The ventilation system(s) of the inside flammable or combustible liquid storage room(s) were not designed to provide for a complete change of air within the room at least six times per hour:

Flammable Storage Area 14 (Area 14) - Approximately 11,027-gallons of flammable liquids were stored in portable containers inside of Area 14. Although Area 14 was equipped with a mechanical ventilation system, this ventilation system only exhausted (turned over) the air within Area 14 between approximately 2.09 and 2.74 times per hour.

Date By Which Violation Must be Abated:**04/12/2012****Proposed Penalty:****\$7,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

**Inspection
Number:**

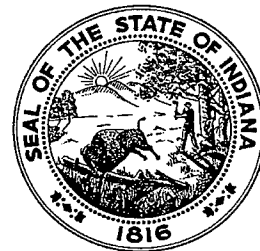
315051318

Inspection Dates:

09/15/2011 -
03/16/2012

Issuance Date:

03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC

Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 3 Type of Violation: Serious

29 CFR 1910.106(e)(2)(ii)(b)(1): More than 25 gallons of Class IA flammable liquids in containers were located outside of inside storage room(s) or storage cabinet(s):

(a) Area 40 (Freezer) - Approximately 70-gallons of Class IA Flammable Liquids such as, but not limited to Acetaldehyde 100%, Methyl Butyrate, Dimethyl Sulfide, Orange Light Fraction and Methylbutyraldehyde were stored throughout Area 40 in portable containers.

(b) Area 41 (Refrigerator/Cooler) - Approximately 100-gallons of Class IA Flammable Liquids such as, but not limited to Acetaldehyde 50%, Dimethyl Sulfide, Rum Ether ART and Civic Tnct 90% Alcohol were stored throughout Area 41 in portable containers.

Date By Which Violation Must be Abated:

04/12/2012

Proposed Penalty:

\$7,000.00

Safety Order 1 Item 4 Type of Violation: Serious

29 CFR 1910.106(e)(2)(ii)(b)(2): More than 120 gallons of Class IB, IC, II or III flammable or combustible liquids in containers were located outside of inside storage room(s) or storage cabinet(s):

Area 41 (Refrigerator/Cooler) - Approximately 1,500-gallons of Class IB and IC Flammable Liquids such as, but not limited to Lemon Lime, Blackberry WONF, Blackberry Flavor, Bacon Type, Blackberry NAT, Lemon Lime NAT EXT, Orange Mandarin WONF, Isovaleraldehyde, Strawberry 20% and Propionaldehyde 97% were stored throughout Area 41 in portable containers.

Date By Which Violation Must be Abated:

04/12/2012

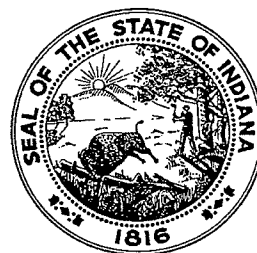
Proposed Penalty:

\$7,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection 315051318
Number:
Inspection Dates: 09/15/2011 -
03/16/2012
Issuance Date: 03/19/2012

**Safety Order and Notification of Penalty****Company Name:** Sensient Flavors, LLC**Inspection Site:** 5600 West Raymond Street, Indianapolis, IN 46241**Safety Order 1 Item 5 Type of Violation: **Serious****

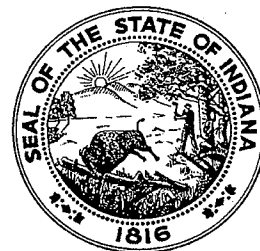
29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with appropriate hazard warnings, or alternatively, words, pictures, symbols, or combination thereof, which provided at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, provided employees with the specific information regarding the physical and health hazards of the hazardous chemical:

- (a) Area 41 (Refrigerator/Cooler) - Three plastic containers of Butter Esters NAT 243132 (K08611), a Class IC Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "1." The chemical manufacturer/vendor labeled each of the containers of Butter Esters with a flammability rating of "3." The chemical manufacturer/vendor also labeled each of the containers of Butter Esters as flammable liquids.
- (b) Area 30 (USDA Cooler) - A plastic container of Butter Esters NAT HK (K08666), a Class IC Flammable Liquid, was labeled by Sensient Flavorings with health and flammability ratings of "0" and "1" respectively. The chemical manufacturer/vendor labeled the container of Butter Esters as a flammable liquid, and the chemical manufacturer's/vendor's Material Safety Data Sheet (MSDS) stated that the Butter Esters had health and flammability ratings of "1" and "3" respectively.
- (c) Warehouse (Near Dry Blend) - A 55-pound bag of Emery 655 Myristic Acid #6355 *2764 (K07517) was labeled by Sensient Flavorings with a health rating of "1." The chemical manufacturer/vendor labeled the bag of Myristic Acid with a health rating of "2."
- (d) Warehouse (Near Dry Blend) - Three plastic containers of Propenyl Guaethol *2922 (K01655) were labeled by Sensient Flavorings with a health rating of "0." The chemical manufacturer/vendor labeled the containers of Propenyl Guaethol with a health rating of "1."
- (e) Flammable Storage Room 14 (Area 14) - A plastic container of Isoamyl Acetate 65% (K01520) was labeled by Sensient Flavorings with a flammability rating of "2." The chemical manufacturer/vendor labeled the container of Isoamyl Acetate with a flammability rating of "3."
- (f) Flammable Storage Room 14 (Area 14) - A metal container of Guaiacol Pure 99% #2532 (K09601) was labeled by Sensient Flavorings with a health rating of "1." The chemical manufacturer/vendor labeled the containers of Guaiacol Pure 99% with a health rating of "3."
- (g) Area 40 (Freezer) - Nine metal containers of Acetaldehyde 100% *2003 FLAM (K01862), a Class IA Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "3." The chemical manufacturer's/vendor's

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012

**Safety Order and Notification of Penalty****Company Name:** Sensient Flavors, LLC**Inspection Site:** 5600 West Raymond Street, Indianapolis, IN 46241

MSDS stated that the Acetaldehyde 100% had a flammability rating of "4."

(h) Area 40 (Freezer) - Two metal containers of Acetaldehyde 100% *2003 FLAM (K01862), a Class IA Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "3." The chemical manufacturer's/vendor's MSDS stated that the Acetaldehyde 100% had a flammability rating of "4."

(i) Warehouse (Near Dry Blend) - Two plastic containers of Veratraldehyde *3109 (K09551) were labeled by Sensient Flavorings with a flammability rating of "0." The chemical manufacturer's/vendor's MSDS stated that the containers of Veratraldehyde had a flammability rating of "1."

(j) Flammable Storage Room 14 (Area 14) - A metal container of Isoamyl Alc Fusel *2057 95% (K01596) was labeled by Sensient Flavorings with health and flammability ratings of "1" and "2" respectively. The chemical manufacturer/vendor labeled the container of Isoamyl Alc Fusel as a flammable liquid, and the chemical manufacturer's/vendor's Material Safety Data Sheet (MSDS) stated that the Isoamyl Alc Fusel had health and flammability ratings of "2" and "3" respectively.

(k) Area 41 (Refrigerator/Cooler) - Three metal containers of Acetaldehyde 50% Alc FLAMM (K01501), a Class IA Flammable Liquid, were labeled by Sensient Flavorings with a flammability rating of "3." The chemical manufacturer's/vendor's MSDS stated that the Acetaldehyde 50% Alc had a flammability rating of "4."

(l) Area 41 (Refrigerator/Cooler) - Two plastic containers of Apple Juice Flav 5.82425 NAT (K10001318), a Class IC Flammable Liquid, were not labeled with appropriate hazard warning information. Although Sensient Flavorings had affixed "K Labels" to each of the Apple Juice containers, the NFPA Diamonds located on these "K Labels" were blank and no numbers were printed or entered inside of any of the diamonds.

(m) Outside of Facility, Inside of Semi-Trailer #2 - Three plastic containers of Orange Citrus Flavor WONF (2036016) were not labeled with appropriate hazard warning information such as, but not limited to health, flammability and reactivity.

(n) Flammable Storage Room 14 (Area 14) - Three plastic containers of Lemon CALIF. 10% Ethyl Alcohol (X08208) were not labeled with appropriate hazard warning information such as, but not limited to health, flammability and reactivity.

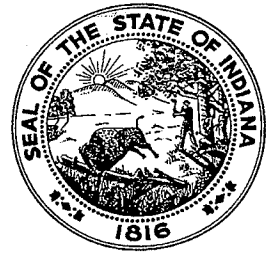
(o) Flammable Storage Room 14 (Area 14) - A plastic container of Citrus Berry (X1000002618) was not labeled with appropriate hazard warning information such as, but not limited to health, flammability and reactivity.

Date By Which Violation Must be Abated:**04/12/2012****Proposed Penalty:****\$7,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.1201(a): Any employer who received a package of hazardous material which was required to be marked, labeled or placarded in accordance with the U. S. Department of Transportation's Hazardous Materials Regulations (49 CFR Parts 171 through 180) did not retain those markings, labels and placards on the package until the packaging was sufficiently cleaned of residue and purged of vapors to remove any potential hazards:

Area 30 (USDA Cooler) - A Department of Transportation (DOT) "Flammable Liquid" Placard/Label was removed from a plastic container of Butter Esters NAT 243132 (K08611).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/12/2012
\$7,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315051318
Inspection Dates: 09/15/2011 - 03/16/2012
Issuance Date: 03/19/2012



Safety Order and Notification of Penalty

Company Name: Sensient Flavors, LLC
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241

Safety Order 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.1201(c): Markings, placards and labels were not maintained in a manner that ensured that they were readily visible:


- (a) Area 40 (Freezer) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Orange Lt Fraction ORG72 (K12495).
- (b) Area 40 (Freezer) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Methyl Butyrate *2693 FP57F (K01996).
- (c) Area 40 (Freezer) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a glass container of 2-Methylbutyraldehyde *2691 (K01713).
- (d) Flammable Storage Room 14 (Area 14) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Propyl Propionate *2958 (K09896).
- (e) Flammable Storage Room 14 (Area 14) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a metal container of Pinene Alpha NAT *2902 (K01779).
- (f) Area 41 (Refrigerator/Cooler) - Sensient Flavorings' "K Label" was affixed over and obscured the DOT "Flammable Liquid" Placard/Label located on a plastic container of Hexanal Ald C (K09677).
- (g) Warehouse (Near Dry Blend) - Sensient Flavorings' "K Label" was affixed over and obscured the "health" and "flammability" portions of the chemical manufacturer's/vendor's HMIS Hazard Warning Label located on a plastic container of Propenyl Guaethol *2922 (K01655).

Date By Which Violation Must be Abated:

04/12/2012

Proposed Penalty:

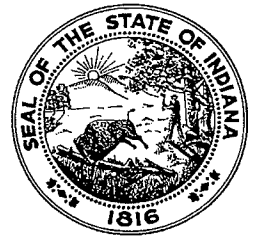
\$7,000.00



Robert A. Kattau
Director, Industrial Compliance

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509



INVOICE/DEBT COLLECTION NOTICE

Company Name: Sensient Flavors, LLC,
Inspection Site: 5600 West Raymond Street, Indianapolis, IN 46241
Issuance Date: 03/19/2012

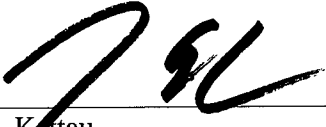
Summary of Penalties for Inspection Number	315051318
Safety Order 01, Serious	= \$44,000.00
Total Proposed Penalties	\$44,000.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).



Robert A. Kattau
Director, Industrial Compliance



Date